



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/824,388	04/14/2004	Akira Hasuike	488-028	6392
47888 7590 09/03/2008 HEDMAN & COSTIGAN P.C. 1185 AVENUE OF THE AMERICAS NEW YORK, NY 10036				
EXAMINER RICE, ELISA M				
ART UNIT		PAPER NUMBER		
2624				
MAIL DATE		DELIVERY MODE		
09/03/2008		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of Non-Compliant Amendment (37 CFR 1.121)

1. The reply filed on December 6, 2007 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s):

2. Newly submitted Independent claim 25, the only independent claim in the application, is directed to an invention that is distinct from the invention originally claimed for the following reasons:

Newly filed independent claims 25 and original independent claims 1-5 are directed to the following:

- I. Original claims 1-5, drawn to Fig. 15, numerals S27 and S28, dividing an image larger than a display region, classified in class 382, subclass 295.
- II. Newly filed claim 25, drawn to Fig. 15, numerals S30, fitting divided images on a web browser, classified in class 382, subclass 284.

The inventions are distinct, each from the other because of the following reasons:

Inventions I and II are related as subcombinations disclosed as usable together in a single combination. The subcombinations are distinct if they do not overlap in scope and are not obvious variants, and if it is shown that at least one subcombination is separately usable. In the instant case, subcombinations I and II have separate utility such as by themselves, as a method for dividing an image larger than a display region/fitting divided images on a web browser respectively. See MPEP § 806.05(d).

Because these inventions are independent or distinct for the reasons given above and the inventions require a different field of search (see MPEP § 808.02), restriction for examination purposes as indicated is proper.

Since applicant has received an action on the merits for the originally presented invention, this invention has been constructively elected by original presentation for prosecution on the merits. Accordingly, claims 25 is withdrawn from consideration as being directed to a non-elected invention, and since claims 26-48 depend on claim 25, they are also withdrawn. See 37 CFR 1.142(b) and MPEP § 821.03. Applicant should further note that the originally presented claims 1-24 have been canceled due to the amendment filed on 12/06/2007.

Therefore, the reply filed on 12/06/2007 is not fully responsive to the prior office action because of the following omission(s) or matter(s): No claims to examine and the remarks are directed to the newly added claims that have been withdrawn from consideration by Restriction/Election by original presentation. See 37 CFR 1.111.

Applicant is given ONE (1) MONTH or THIRTY (30) DAYS from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. Applicant is advised to present the originally presented invention in form of new claims for further prosecution. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to ELISA M. RICE whose telephone number is (571)270-1582. The examiner can normally be reached on 12:00-8:30p.m. EST Monday thru Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vikkram Bali can be reached on (571)272-7415. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Elisa M Rice/
Examiner, Art Unit 2624